

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark T. Bilodeau, et al.

Serial No. 10/554,001

Filed: October 21, 2005

For: INHIBITORS OF AKT ACTIVITY

Art Unit: To be determinedExaminer: To be determined

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97**

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.

4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

MERCK & CO., INC.By Stephanie Ricard Date 2/13/06

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

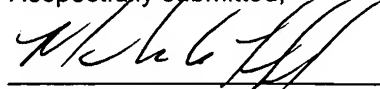
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: Matthew A. Leff

Attorney _____ For Applicant(s)

Reg. No. 50,149

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Patent Dept., RY60-30

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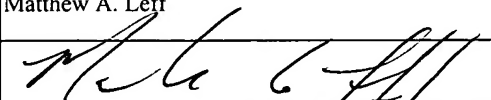
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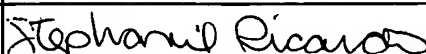
(732)594-1404

Date: February 13, 2006

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/554,001
		Filing Date	October 21, 2005
		First Named Inventor	Mark T. Bilodeau
		Art Unit	To be determined
		Examiner Name	To be determined
Total Number of Pages in This Submission	-	Attorney Docket Number	21299YP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please Identify below):
Remarks - 14 References Attached		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Name	Matthew A. Leff	Registration No. (Attorney/Agent)	50,149
Signature			Date 2/13/2006

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on this date: 2/13/2006			
Typed or printed name	Stephanie Ricardo		
Signature		Date	2/13/2006

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				COMPLETE IF KNOWN	
		Application Number	10/554,001		
		Filing Date	October 21, 2005		
		First Named Inventor	Mark T. Bilodeau		
		Group Art Unit	To be determined		
		Examiner Name	To be determined		
Sheet	1	of	2	Attorney Docket Number	21299YP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <i>(if known)</i>		
		5,686,470		Weier, et al.	11/11/1997
		5,506,219		Robl	04/09/1996
		5,594,011		McDonald, et al.	01/14/1997
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		2002/0127214		Hemmings	09/12/2002
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		2004/0116433		Owens, et al.	06/17/2004
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		6,960,584		Carling, et al.	11/01/2005
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		2005/0222155		Bilodeau, et al.	10/06/2005
		2005/0130977		Lindsley, et al.	06/16/2005
		2004/0102360		Barnett, et al.	05/27/2004
		2005/0288294		Duggan, et al.	12/29/2005

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number		
		EP	0356788	E.R Squibb & Sons, Inc.	03/07/1990
		PCT	WO 96/15123	The Salk Institute Biotechnology....	05/23/1996
		PCT	WO 96/24584	G.D Searle & Company	08/15/1996
		PCT	WO 96/31475	Sibia Neurosciences, Inc.	10/10/1996
		PCT	WO 97/22360	Medical Research Council	06/26/1997
		PCT	WO 01/91754	Peptor Ltd.	12/06/2001
		PCT	WO 96/23769	Smithkline Beecham PLC.	08/08/1996
		PCT	WO 02/083138	Merck & Co., Inc.	10/24/2002
		PCT	WO 03/084473	Merck & Co., Inc.	10/16/2003

Examiner Signature		Date Considered	
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COMPLETE IF KNOWN

Application Number	10/554,001
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Group Art Unit	To be determined
Examiner Name	To be determined
Attorney Docket Number	21299YP

Sheet

2

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Attorney Docket Number	21299YP
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Examiner
Initials*Cite
No.

Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

Bilodeau, et al. Database on Stn. No. 139:350754, WO 2003/086394

Barnett, et al. Database on Stn. No. 139:323527, WO 2003/084473 (203)

Zhao, et al. Biorganic & Medicinal Chemistry Letters, Vol. 15 (4), pp. 905-909, Database o Stn. No. 142:211437 (2005)

DeFeo-Jones, et al. Molecular Cancer Therapeutics, Vol. 4(2), pg. 271-279 (2005)

Lindsley, et al. Bioorganic & Medicinal Chemistry Letters, Vol. 15(3), pg. 761-764 (2005)

Examiner
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Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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